

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

ABRUZZO DOCG INC. d/b/a  
TARALLUCCI E VINO, et al.,

Plaintiffs,

Case No. 1:20-cv-04160-MKB-JO

v.

ACCEPTANCE INDEMNITY  
INSURANCE COMPANY, et al.,

Defendants.

**NOTICE OF JOINDER IN OPPOSITION TO PLAINTIFF'S MOTION TO REMAND  
BY DEFENDANTS LEXINGTON INSURANCE COMPANY AND WESTERN WORLD  
INSURANCE COMPANY**

**PLEASE TAKE NOTICE** that Defendants Lexington Insurance Company (“Lexington”) and Western World Insurance Company (“Western World”), by and through its undersigned counsel, join in and incorporate the Opposition to Plaintiff’s Motion to Remand served by Defendant Acceptance Indemnity Insurance Company on October 20, 2020.

As detailed in Lexington’s and Western World’s Notices of Consent or Joinder in Removal filed September 14, 2020 (ECF Nos. 14 and 15 respectively), both Lexington and Western World joined and consented to the removal of this matter and set forth the facts supporting jurisdiction, referencing the Amended Complaint and the policy documents appended thereto. Lexington submits that this Court has federal diversity jurisdiction over the claims brought against Lexington by its insureds, Plaintiff 389 Broome LLC d/b/a Goldbar and Plaintiff 643 Broadway Holdings LLC d/b/a Sweetwater Social pursuant to 28 U.S.C. § 1332. (ECF No. 14). Western World submits that this Court has federal diversity jurisdiction over the claims

brought against Western World by its insureds, Plaintiff 189 Chrystie Partners LP d/b/a The Box, Plaintiff 125 Hospital LLC d/b/a The Groove, and Plaintiff Whany LLC d/b/a café Wha?. (ECF No. 15.)

Respectfully submitted,

DENTONS US LLP

By: /s/ Sandra D. Hauser

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#### **CERTIFICATE OF SERVICE**

I hereby certify that on the 20<sup>th</sup> day of October, 2020, I caused the foregoing to be served by e-mail to all counsel of record.

/s/ Catharine Luo  
Catharine Luo